

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL ABRACZINSKAS  
Director



TBD

Mr. George Lemerise  
General Manager  
MasterBrand Cabinets, Inc. – Kinston Plant #9  
651 Collier-Loftin Rd  
Kinston, NC 28504

SUBJECT: Air Quality Permit No. 08804T13  
Facility ID: 5400187  
MasterBrand Cabinets, Inc – Kinston Plant #9  
Kinston  
Lenoir County  
Fee Class: Title V  
PSD Class: (Enter Major or Minor)

Dear Mr. Lemerise:

In accordance with your completed Air Quality Permit Application for a Significant Modification of your Title V permit received on April 14, 2020, we are forwarding herewith Air Quality Permit No. 08804T13 to MasterBrand Cabinets, Inc. – Kinston Plant#9 651 Collier-Loftin Road Kinston, Lenoir County, North Carolina authorizing the construction and operation, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.



North Carolina Department of Environmental Quality | Division of Air Quality  
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641  
919.707.8400

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Lenoir County has not triggered increment tracking under PSD for any pollutants, so no tracking is required.

This Air Quality Permit shall be effective from **(Enter Permit Issuance Date)** until November 30, 2022, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein.

Should you have any questions concerning this matter, please contact Urva Patel at (919) 707-8405 and [Urva.Patel@ncdenr.gov](mailto:Urva.Patel@ncdenr.gov).

Sincerely yours,

William D. Willets, P.E., Chief, Permitting Section  
Division of Air Quality, NCDEQ

Enclosure

c: Kelly Fortin, EPA Region 4 (Permit and review)  
Washington Regional Office  
Central Files  
Connie Horne (cover letter only)

ATTACHMENT to Permit No. 08804T13

Insignificant Activities per 15A NCAC 02Q .0503(8)

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>
<b>IES1-D</b>	Hot melt coating system
<b>IES7 through IES10</b>	Four electric batch ovens

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the Permittee is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit."
3. For additional information regarding the applicability of MACT or GACT see the DAQ page titled "Specific Permit Conditions Regulatory Guide." The link to this site is as follows:  
<http://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>.

## Summary of Changes to Permit

The following changes were made to the MasterBrand Cabinets, Inc. – Kinston Plant#9, Air Permit No. 08804T12:

Page No.	Section	Description of Changes
Cover Letter	N/A	<ul style="list-style-type: none"><li>• Update cover letter for application number, permit numbers, dates, fee class, PSD increment statement and Chief name.</li><li>• Revised facility and technical contact.</li></ul>
Permit Cover	N/A	<ul style="list-style-type: none"><li>• Insert new issuance, complete application date and application number.</li></ul>
17	2.2 A.1.d	<ul style="list-style-type: none"><li>• Revised permit condition to ensure compliance – pounds of coating solids applied value</li></ul>
Cover and throughout	Cover and throughout	<ul style="list-style-type: none"><li>• Updated regulation references from “2D” and “2Q” to “02D” and “02Q” to be consistence with regulation nomenclatures.</li></ul>



State of North Carolina  
Department of Environmental Quality  
Division of Air Quality

## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
08804T13	08804T12	XXXX	November 30, 2022

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

**Permittee:** **MasterBrand Cabinets, Inc. – Kinston**  
**Plant #9**

**Facility ID:** **5400187**

**Facility Site Location:** **651 Collier-Loftin Road**  
**City, County, State, Zip:** **Kinston, Lenoir County, North Carolina 28504**

**Mailing Address:** **651 Collier-Loftin Road**  
**City, State, Zip:** **Kinston, North Carolina 28504**

**Application Number:** **5400187.20A**  
**Complete Application Date:** **April 14, 2020**

**Primary SIC Code:** **2434**  
**Division of Air Quality,**  
**Regional Office Address:** **Washington Regional Office**  
**943 Wahington Square Mall**  
**Washington, North Carolina, 27889**

Permit issued this the XX day of XXXXXX, XXXX

William D. Willets, P.E., Chief, Air Permitting Section  
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

## SECTION 1- PERMITTED EMISSION SOURCE (S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE (S) AND APPURTENANCES

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances.				
Page Nos.	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
Conventional cabinet finishing operations (ID No. CF1)				
4, 18	CF1-SBA1 through CF1-SBA16 and CF1-SBA25 (MACT JJ)	Seventeen dry filter-type spray booths	NA	NA
20	CF1-OVGA1 through CF1-OVGA4 (MACT JJ)	Four natural gas-fired drying ovens (0.81, 1.8, 1.3, and 1.2 million Btu per hour maximum heat input rate, respectively)	NA	NA
High volume line cabinet finishing operations (ID No. CF2)				
4,18	CF2-SBB1 through CF2-SBB20 (MACT JJ; PSD)	Twenty dry filter-type spray booths	NA	NA
20	CF2-OVGB1 and CF2-OVGB2 (MACT JJ)	Two natural gas-fired drying ovens (0.8 million Btu per hour maximum heat input rate, each)	NA	NA
6-8	ES-WO1	Woodworking Operations	BH-1 through BH-8,  CY-1 in series with BH-4	Eight bagfilters (5,684, 5,684, 5,648, 5,477, 4,350, 6,297, 6,297, and 6,297 square feet of filter area, respectively)  Cyclone (CY-1) is in series with bagfilter (BH4).
6-8	ES-WO2	High volume manufacturing line woodworking operations		
6-8	ES-WO3	Saws		
Other miscellaneous equipment				
8, 19	ES3D	Laminator with a roll coating station		
9-13	ES-PS (MACT ZZZZ)	One diesel-fired emergency and peak shaving generator (1,000 kW electrical output, 1,447 brake horsepower engine output)		
14	ES-EFP (MACT ZZZZ)	One diesel-fired emergency fire pump engine (121 brake horsepower engine output)		

## SECTION 2 - SPECIFIC LIMITATIONS AND CONDITIONS

### 2.1 Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

- A. Conventional cabinet finishing operations (ID No. CF1) with associated dry filter-type spray booths (ID Nos. SBA1 through SBA16 and SBA25)**  
**High volume line cabinet finishing operations (ID No. CF2) with associated dry filter-type spray booths (ID Nos. SBB1 through SBB20)**

The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate Matters	Adequate ductwork and properly designed collectors	15A NCAC 02D .0512
Visible Emissions	20 percent opacity	15A NCAC 02D .0521
Particulate Matter	<b>See Section 2.2 A.1</b>	15A NCAC 02Q .0317 (PSD Avoidance)
PM <sub>10</sub>	<b>See Section 2.2 A.1</b>	15A NCAC 02Q .0317 (PSD Avoidance)
Volatile organic compounds	<b>(ID Nos. SBB1 through SBB20 only)</b> <b>See Section 2.2 A.2</b>	15A NCAC 02D .0530
Odors	<b>State-enforceable only</b> <b>See Section 2.2 A.3</b>	15A NCAC 02D .1806
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants for Wood Furniture Manufacturing Operations <b>See Section 2.2 B</b>	15A NCAC 02D .1111 (40 CFR 63, Subpart JJ)

#### 1. 15A NCAC 02D .0512: PARTICUALTES FROM MISCELLANEOUS WOOD PRODUCTS FINISHING PLANTS

- a. The Permittee shall not cause, allow, or permit particulate matter caused by the working, sanding, or finishing of wood to be discharged from any stack, vent, or building into the atmosphere without providing, as a minimum for its collection, adequate ductwork and properly designed collectors. In no case shall the ambient air quality standards be exceeded beyond the property line.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- b. Particulate matter emission from these sources **(ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20)** shall be controlled by dry-filters as described above. To ensure compliance, the Permittee shall perform inspections and maintenance. As a minimum, the inspection and maintenance program shall include:
- weekly inspection of the spray booths' filters noting the condition; and
  - annual (for each 12 month period following the initial inspection) inspection of the associated ductwork noting structural integrity.
- The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0512 if the filters are not inspected and maintained.
- c. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- the date and time of each recorded action;
  - the results of each inspection; and
  - the results of maintenance performed on any filters.



The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0512 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- d. The Permittee shall submit the results of any maintenance performed on the filters or ductwork within 30 days of a written request by the DAQ.
- e. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.1 A.1.b and c above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from these sources (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. To ensure compliance, once a month the Permittee shall observe the emission points of these sources (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**) for any visible emissions above normal. The monthly observation must be made for each month of the calendar year period to ensure compliance with this requirement. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
  - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 A.2.a above.The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if the required monthly observations are not conducted as required; if the above-normal emissions are not corrected within the monitoring period or the percent opacity demonstration cannot be made.
- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
  - i. the date and time of each recorded action;
  - ii. the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
  - iii. the results of any corrective actions performed.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of the observations given in Section 2.1 A.2.c and d above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**B. Woodworking operations (ID No. ES-WO1),  
Woodworking operations for the high volume line (ID No. ES-WO2), and  
Saws (ID No. ES-WO3) with associated bagfilters (ID Nos. BH-1 through BH-8) and cyclone (ID  
No. CY-1) in series with BH-4**

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	Adequate ductwork and properly designed collectors	15A NCAC 02D .0512
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Particulate matter	Compliance Assurance Monitoring	15A NCAC 02D .0614

**1. 15A NCAC 02D .0512: PARTICULATE FROM MISCELLANEOUS WOOD PRODUCTS FINISHING PLANTS**

- a. The Permittee shall not cause, allow, or permit particulate matter caused by the working, sanding, or finishing of wood to be discharged from any stack, vent, or building into the atmosphere without providing, as a minimum for its collection, adequate ductwork and properly designed collectors. In no case shall the ambient air quality standards be exceeded beyond the property line.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- b. Particulate matter emission from these sources (**ID Nos. ES-WO1 through ES-WO3**) shall be controlled by one cyclone (in series with ID No. BH-4) and eight bagfilters (**ID Nos. BH-1 through BH-8**). To ensure compliance, the Permittee shall perform inspections and maintenance as recommended by the manufacturer, if any. As a minimum, the inspection and maintenance program shall include:

- i. monthly external inspection of the ductwork, cyclone, and bagfilters noting the structural integrity; and
- ii. annual (for each 12 month period following the initial inspection) internal inspection of the bagfilters noting structural integrity and the condition of the filters.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0512 if the ductwork and bagfilters are not inspected and maintained.

- c. The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:

- i. the date and time of each recorded action;
- ii. the results of each inspection; and
- iii. the results of maintenance performed on any control device.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0512 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- d. The Permittee shall submit the results of any maintenance performed on any control device within 30 days of a written request by the DAQ.
- e. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.1 B.1.b and c above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from these sources (**ID Nos. ES-WO1 through ES-WO3**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. To ensure compliance, once a week the Permittee shall observe the emission points of these sources (**ID Nos. ES-WO1 through ES-WO3**) for any visible emissions above normal. The weekly observation must be made for each week of the calendar year period to ensure compliance with this requirement. If visible emissions from these sources are observed to be above normal, the Permittee shall either:
- take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1 B.2.a above.
- The Permittee shall be deemed to be in noncompliance with 15A NCAC 02D .0521 if the required weekly observations are not conducted as required; if the above-normal emissions are not corrected within the monitoring period or the percent opacity demonstration cannot be made .
- d. The results of the monitoring shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
- the date and time of each recorded action;
  - the results of each observation and/or test noting those sources with emissions that were observed to be in noncompliance along with any corrective actions taken to reduce visible emissions; and
  - the results of any corrective actions performed.
- The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521 if these records are not maintained.

**Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of the observations given in Section 2.1 B.2.c and d above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**3. 15A NCAC 02D .0614: COMPLIANCE ASSURANCE MONITORING**

- Pursuant to 40 CFR 64 and 15A NCAC 02D .0614, the Permittee shall comply with the following.
- Background.
  - Emission unit(s): Woodworking operations and saws (**ID Nos. ES-WO1 through ES-WO3**).
  - Applicable regulation(s): 15A NCAC 02D .0512
  - Emission limits: properly designed collectors (02D .0512, particulate matter)
  - Control technology: Eight bagfilters (**ID Nos. BH-1 through BH-8**)
- Monitoring approach. The key elements of the monitoring approach are presented in the following table:

Indicator	Pressure drop
Measurement Approach [64.6(c)(1)(ii)]	Pressure drop ( $\Delta P$ ) across the bagfilter is measured with a differential pressure gauge
Indicator Range [64.6(c)(2)]	An excursion is defined as a pressure drop greater than 5.0" H <sub>2</sub> O or less than 0.5" H <sub>2</sub> O.
Bypass [64.3(a)(2)]	If the pressure drop falls below 0.5" H <sub>2</sub> O, the possibility of bypass is investigated
QIP threshold [64.8]	Instantaneous $\Delta P$ readings outside range 3 times within a six-month period
Performance Criteria, Data Representativeness [64.6(c)(1)(iii)]	Pressure taps are located at the bagfilter inlet and outlet. The gauge has an indicator range from 0.0 to 10.0 inches of water and has an accuracy of plus or minus 2 percent of full scale, and 70°F. The actual temperature of the monitored exhaust will vary depending on seasonal changes
Verification of Operational Status [64.3(b)(1)]	N/A

Indicator	Pressure drop
QA/QC Practices and Criteria [64.3(b)(3)]	The pressure gauge is calibrated semi-annually. Pressure taps are checked for plugging daily.
Monitoring frequency [64.3(b)(4)]	$\Delta P$ is monitored continuously while the bagfilter is in operation.
Data collection procedure [64.3(b)(4)]	$\Delta P$ is manually recorded daily.
Averaging period	N/A
Recordkeeping and reporting [64.9]	<p>Keep records of: excursion reports and corrective actions, I&amp;M logs for <math>\Delta P</math> monitoring and recording system, bagfilter inspection and maintenance reports</p> <p>Quarterly reports include:</p> <p>Investigative and corrective action report,</p> <p>Date, time, and duration of excursion</p> <p>Cause of and corrective actions to eliminate excursion, and</p> <p>Measures taken to prevent re-occurrence</p> <p>A description of the actions taken to implement a QIP (as applicable)</p>

**Reporting** [15A NCAC 02Q .0508(f)]

- d. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.1 B.3.c above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified.

**C. Laminator (ID No. ES3D)**

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Odors	State-enforceable only See Section 2.2 A.3	15A NCAC 02D .1806

**D. One diesel-fired emergency and peak shaving generator (ID No. ES-PS)**

The following table provides a summary of limits and standards for the emission source(s) describe above:

<b>Regulated Pollutant</b>	<b>Limits/Standards</b>	<b>Applicable Regulation</b>
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Nitrogen oxides	Less than 40 tons per year	15A NCAC 02Q .0317 (PSD Avoidance)
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE)	15A NCAC 02D .1111 (40 CFR 63, Subpart ZZZZ)

**1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES**

- a. Emissions of sulfur dioxide from this source (**ID No. ES-PS**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 D.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of diesel fuel in this source (**ID No. ES-PS**).

**2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from this source (**ID No. ES-PS**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 D.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of diesel fuel in this source (**ID No. ES-PS**).

**3. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS  
for 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION**

- a. In order to avoid applicability of 15A NCAC 02D .0530, this source (**ID No. ES-PS**) shall discharge into the atmosphere less than 40 tons of nitrogen oxides per consecutive 12-month period.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 D.3.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

**Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. The Permittee shall operate this source (**ID No. ES-PS**) such that nitrogen oxide emissions shall not exceed 40 tons for any consecutive 12-month period. Calculations shall be made monthly and recorded in a logbook (written or electronic format), according to the following formula:

$$\text{Total Actual Tons NOx emitted} = \frac{X * 0.024 \text{ lb/HP-hr} * 1447 \text{ HP}}{2000 \text{ lb/ton}}$$

Where: X is the hours of operation of generator (**ID No. ES-PS**)

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if records of the hours of operation or the actual tons of NOx emitted from this source (**ID No. ES-PS**) are not kept or if the nitrogen oxide emissions exceed the limit in Section 2.1 D.3.a above.

**Reporting** [15A NCAC 02Q .0508(f)]

- d. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.1 D.3.c above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. The report shall contain the following:
  - i. the monthly nitrogen oxide emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months; and
  - ii. the hours of operation of this source (**ID No. ES-PS**).

**4. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**

**Applicability** [40 CFR 63.6585, 63.6590(a)(1)(i)]

- a. For this emission source(s) (existing stationary RICE rated greater than 500 BHP located at an major source of HAP emissions), the Permittee shall comply with all applicable provisions, including the monitoring, recordkeeping, and reporting contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR 63, "Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines." and Subpart A "General Provisions."

**Definitions and Nomenclature**

- b. For the purposes of this permit condition, the definitions and nomenclature contained in 40 CFR 63.6675 shall apply.

**Applicability Date** [40 CFR 63.6595(a)(1)]

- c. The Permittee shall comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013.

**General Provisions** [40 CFR 63.6665]

- d. The Permittee shall comply with the General Provisions as applicable pursuant to Table 8 of 40 CFR 63 Subpart ZZZZ

**Notifications** [40 CFR 63.6645(a)(2)]

- e. The Permittee shall submit all of the notifications in the following regulations that apply by the dates specified:
  - i. (A) 40 CFR 63.7(b) [*performance testing*] and (c) [*quality assurance program*];  
(B) 40 CFR 63.8(e) [*performance evaluation of CPMS*], (f)(4) and (f)(6) [*alternative monitoring methods*]; and  
(C) 40 CFR 63.9(b) through (e), and (g) and (h) [*initial notifications*].
  - ii. The Permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in [40 CFR 63.7\(b\)\(1\)](#). [40 CFR 63.6645(g)]
  - iii. For each performance test, the Permittee shall submit a Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to [40 CFR 63.9\(h\)\(2\)\(ii\)](#) and 63.10(d)(2). [40 CFR 63.6630(c), 63.6645(h)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the notification requirements in **Section 2.1 D.3.e** are not met.

**General Compliance Requirements** [15A NCAC 2Q .0508(b)]

- f. i. The permittee shall be in compliance with the emission limitations, operating limitations and other requirements that apply at all times. [40 CFR 63.6605(a)]
- ii. The Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for

minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

- iii. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Section 2.1 D.4.f** are not met.

**Fuel Requirements** [15A NCAC 2Q .0508(f)]

- g. The Permittee shall use diesel fuel in the engine with:
  - i. a maximum sulfur content of 15 ppm; and
  - ii. a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.
 [40 CFR 63.6604(a) and 40 CFR 80.510(b)]

**Emissions and Operating Limitations** [15A NCAC 2Q .0508(b)]

- h. The Permittee shall:
  - i. limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O<sub>2</sub>; or
  - ii. reduce CO emissions by 70 percent or more, using an oxidation catalyst.
 [40 CFR 63.6600(d), Table 2c, Table 2b]
- i. The Permittee shall maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 CFR 63.6600(d), Table 2b]
- j. The Permittee shall maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the most recent performance test. [40 CFR 63.6600(d), Table 2b, 63.6630(b)]
- k. During periods of startup of the IC engine, the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63.6625(h), Table 2c]
- l. If the engine(s) is not equipped with a closed crankcase ventilation system, the Permittee shall comply with either subparagraph i or ii. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements.
  - i. Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
  - ii. Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.
 [40 CFR 63.6625(g)]
- m. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Sections 2.1 D.4.g through l** are not met.

**Testing Requirements** [15A NCAC 2Q .0508(b)]

- n. i. The Permittee shall conduct initial and subsequent performance tests to demonstrate compliance with the limitations in **Section 2.1 D.4.h and i**. [40 CFR 63.6620(a)]
- ii. The Permittee conducted its initial performance test on February 10, 2014 according to the provisions in 40 CFR 63.7(a)(2). [40 CFR 63.6610(a)]
- iii. The Permittee shall conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first. [40 CFR 63.6615, Table 3]
- iv. Each performance test shall be conducted according to the requirements of 40 CFR 63 Subpart ZZZZ Table 4. If a non-operational stationary RICE is subject to performance testing, the Permittee does not need to start up the engine solely to conduct the performance test. The Permittee can conduct the performance test when the engine is started up again. [40 CFR 63.6620(a),(b)]
- v. The Permittee shall demonstrate initial compliance with the limitations in **Section 2.1 D.3.h and i** according to Subpart ZZZZ Table 5. [40 CFR 63.6630(a)]
- vi. If the catalyst is changed, the Permittee shall reestablish the values of the operating parameters measured during the initial performance test. When reestablishing the values of the operating parameters, the Permittee shall also conduct a performance test to demonstrate that the required emission limitation applicable to the stationary RICE is met. [40 CFR 63.6640(b)]

- vii. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Section 2.1 D.3.n** are not met.

**Monitoring** [15A NCAC 2Q .0508(f)]

- o. i. The Permittee shall install, operate, and maintain continuous parameter monitoring systems (CPMS) to monitor the catalyst inlet temperature for each catalyst and reduce the temperature data to 4- hour rolling averages. The Permittee shall maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature in **Section 2.1 D.4.i.** [40 CFR 63 Subpart ZZZZ Table 5, 63.6625(b), 63.6640(a), Table 6]
- ii. The Permittee shall measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test per **Section 2.1 D.4.i.** [40 CFR 63 Subpart ZZZZ Table 5, 63.6640(a), Table 6]
- iii. The Permittee shall install, operate, and maintain each CPMS according to the requirements in paragraphs (A) through (G): [40 CFR 63.6625(b)]
  - (A) The Permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of 40 CFR 63.6625 and in 40 CFR 63.8(d).
  - (B) The Permittee shall install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan.
  - (C) The CPMS must collect data at least once every 15 minutes (see also 40 CFR 63.6635).
  - (D) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.
  - (E) The Permittee shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site-specific monitoring plan at least annually.
  - (F) The Permittee shall conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan.
- iii. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Section 2.1 D.4.o** are not met.
- p. i. The Permittee shall monitor and collect data as follows:
  - (A) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the Permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
  - (B) The Permittee shall not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The Permittee shall, however, use all the valid data collected during all other periods.[40 CFR 63.6635]
- ii. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Section 2.1 D.4.p** are not met.

**Recordkeeping** [15A NCAC 2Q .0508(f)]

- q. The Permittee shall keep records of the following monitoring data:
  - i. catalyst(s) inlet temperature data including the 4-hour rolling averages; and
  - ii. the monthly measurements of the pressure drop across the catalyst(s). [40 CFR 63.6655(d)]
- r. The Permittee shall keep the following:
  - i. A copy of each notification and report that was submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in [40 CFR 63.10\(b\)\(2\)\(xiv\)](#).
  - ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
  - iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).
  - iv. Records of all required maintenance performed on the air pollution control and monitoring equipment.
  - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with **Section 2.1 P.4 f.ii.** including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.6655(a)]



- s. For each inlet catalyst temperature CPMS, the Permittee shall keep the following records:
  - i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi).
  - ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3).
  - iii. Requests for alternatives to the relative accuracy test for CPMS as required in 40 CFR 63.8(f)(6)(i), if applicable. [40 CFR 63.6655(b)]
- t. The Permittee shall keep each record in a form suitable and readily accessible for expeditious review in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to [40 CFR 63.10\(b\)\(1\)](#). [40 CFR 63.6660]
- u. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in **Sections 2.1 D.3.q through u** are not met.

**Reporting** [15A NCAC 2Q .0508(f)]

- v. The permittee shall submit a compliance report semiannually postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit must be clearly identified. [40 CFR 63.6650(a),(b)(5) and 63.6650(f)]
- w. The compliance report must contain:
  - i. Company name and address;
  - ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report; and
  - iii. Date of report and beginning and ending dates of the reporting period.
  - iv. If a malfunction occurred during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with **Section 2.1 D.4.f.ii**, including actions taken to correct a malfunction.
  - v. If there are no instances of noncompliance from any emission or operating limitations that apply, a statement that there were no instances of noncompliance from the emission or operating limitations during the reporting period.
  - vi. If there were no periods during which the CPMS was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period. [40 CFR 63.6650(c)]
- x. For each instance of noncompliance from an emission or operating limitation that occurs for the stationary RICE where the Permittee is **not using a CMS** to comply with the emission or operating limitations, the compliance report must contain the information in **Section 2.1 D.4.w.i through iv** and the following information:
  - i. The total operating time of the stationary RICE at which the instance of noncompliance occurred during the reporting period.
  - ii. Information on the number, duration, and cause of instances of noncompliance (including unknown cause, if applicable), as applicable, and the corrective action taken. [40 CFR 63.6650(d)]
- y. For each instance of noncompliance from an emission or operating limitation occurring for a stationary RICE where the Permittee **is using a CMS** to comply with the emission and operating limitations in this subpart, the Permittee shall include information in **Section 2.1 D.4.w.i through iv** and the following information:
  - i. The date and time that each malfunction started and stopped.
  - ii. The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.
  - iii. The date, time, and duration that each CMS was out-of-control, including the information in 40 CFR 63.8(c)(8).
  - iv. The date and time that each instance of noncompliance started and stopped, and whether each instance of noncompliance occurred during a period of malfunction or during another period.
  - v. A summary of the total duration of the instances of noncompliance during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.
  - vi. A breakdown of the total duration of the instances of noncompliance during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
  - vii. A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.
  - viii. An identification of each parameter and pollutant that was monitored at the stationary RICE.
  - ix. A brief description of the stationary RICE.
  - x. A brief description of the CMS.
  - xi. The date of the latest CMS certification or audit.

- xii. A description of any changes in CMS, processes, or controls since the last reporting period.  
[40 CFR 63.6650(e)]
- z. The Permittee shall be deemed in noncompliance with the reporting requirements of 15A NCAC 02D .1111 if **Sections 2.1 D.4.v through y** are not met.

## E. One diesel-fired emergency fire pump engine (ID No. ES-EFP)

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity	15A NCAC 02D .0521
Hazardous air pollutants	National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE)	15A NCAC 02D .1111 (40 CFR 63, Subpart ZZZZ)

### 1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in condition.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping is required for sulfur dioxide emissions from the firing of diesel fuel oil in this source.

### 2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from sources shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in condition a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of diesel fuel in this source.

### 3. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY

**Applicability** [40 CFR 63.6585, 63.6590(a)(1)(ii)]

- a. For this emission source (existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions), the Permittee shall comply with all applicable provisions, including the monitoring, recordkeeping, and reporting contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR 63, Subpart ZZZZ "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines" and Subpart A "General Provisions."

**Definitions and Nomenclature**

- b. For the purposes of this permit condition, the definitions and nomenclature contained in 40 CFR 63.6675 shall apply.

**Applicability Date** [40 CFR 63.6595(a)(1)]

- c. The Permittee shall comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013.

**Notifications** [40 CFR 63.6645(a)(5)]

- d. The Permittee has no notification requirements.

**General Provisions** [40 CFR 63.6665]

- e. The Permittee shall comply with the General Provisions as applicable pursuant to Table 8 of 40 CFR 63 Subpart ZZZZ.

**Operating and Maintenance Requirements** [15A NCAC 02Q .0508(b)]

- f. During periods of startup of the IC engine, the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63.6602 and 63.6625(h)]
- g. Except during periods of startup of the IC engine, the Permittee shall:
  - i. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
  - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

[40 CFR 63.6602, Table 2C]

- h. The Permittee shall have the option to utilize the oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in condition g. [40 CFR 63.6602, Table 2C, 63.6625(i)]
- i. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in condition g., or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated.

The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable. [40 CFR 63.6602, Table 2C]

- j. The Permittee shall be in compliance with the emission limitations, operating limitations and other requirements in this subpart that apply at all times. [40 CFR 63.6605(a)]
- k. The Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]
- l. The Permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e) and 63.6640(a), Table 6]
- m. In order for the engine to be considered an emergency stationary RICE under this condition, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (1) through (3) below, is prohibited.
  - (1) There is no time limit on the use of emergency stationary RICE in emergency situations.
  - (2) The Permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs (i) through (iii) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (3) below counts as part of the 100 hours per calendar year allowed

by this paragraph (2).

- (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine.

The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

- (ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 CFR 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
  - (iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.
- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (m)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 CFR 63.6640(f)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions **e. through m.** are not met.

**Monitoring** [15A NCAC 02Q .0508(f)]

- n. The Permittee shall install a non-resettable hour meter on the IC engine if one is not already installed. [40 CFR 63.6625(f)]

**Recordkeeping** [15A NCAC 02Q .0508(f)]

- o. The Permittee shall keep the following:
  - i. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in [40 CFR 63.10\(b\)\(2\)\(xiv\)](#). [40 CFR 63.6655(a)(1)]
  - ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(2)]
  - iii. Records of all required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(4)]
  - iv. Records of actions taken during periods of malfunction to minimize emissions in accordance with [condition k.](#), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.6655(a)(5)]
  - v. Records of the maintenance conducted on the RICE pursuant to [condition l.](#) [40 CFR 63.6655(d) and (e)]
  - vi. Records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in (m)(2)(ii) or (iii) above, the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

[40 CFR 63.6655(f)]

- p. The Permittee shall keep each record in a form suitable and readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to [40 CFR 63.10\(b\)\(1\)](#). [40 CFR 63.6660(a), (b), (c)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if conditions **o. through p.** are not met.

**Reporting** [15A NCAC 02Q .0508(f)]

- q. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before

January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance must be clearly identified. [40 CFR 63.6640(b), (e), and 63.6650(f)]

- i. The summary report shall also include any reporting required under **condition i.**, as necessary. [40 CFR 63.6602, Table 2C]
- r. If the Permittee owns or operates an emergency stationary RICE with a site rating of more than 100 brake HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in (m)(2)(ii) and (iii) above, the Permittee shall submit an annual report according to the requirements at 40 CFR 63.6650(h). This report must be submitted to the Regional Supervisor and the EPA. [40 CFR 63.6650(h)]  
The Permittee shall be deemed in noncompliance with the reporting requirements of 15A NCAC 02D .1111 if **condition q and r** are not met.

## 2.2 Multiple Emission Source(s) Specific Limitations and Conditions

### A. The following sources:

**Table 2.2.A.**

Emission Source I.D. No.	Emission Source Description	Control Device I.D. No.	Control Device Description
<b>Conventional cabinet finishing operations (ID No. CF1)</b>			
CF1-SBA1 through CF1-SBA16 and CF1-SBA25 (MACT, Subpart JJ)	Seventeen dry filter-type spray booths	NA	NA
<b>High volume line cabinet finishing operations (ID No. CF2)</b>			
CF2-SBB1 through CF2-SBB20 (MACT, Subpart JJ; PSD)	Twenty dry filter-type spray booths	NA	NA

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Particulate matter	Less than 25 tons per consecutive 12-month period	15A NCAC 02Q .0317 (PSD Avoidance)
PM <sub>10</sub>	Less than 15 tons per consecutive 12-month period	15A NCAC 02Q .0317 (PSD Avoidance)
Volatile organic compounds	(ID Nos. SBB1 through SBB20 only) Less than 620 tons per consecutive 12-month period	15A NCAC 02D .0530
Odors	<b>State-enforceable only</b> Odorous emissions must be controlled	15A NCAC 02D .1806

#### 1. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS for 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

- a. In order to avoid applicability of this regulation, combined emissions from these sources (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**) shall not exceed 25 tons of particulate matter per consecutive 12-month period and 15 tons of PM<sub>10</sub> per consecutive 12-month period.

##### **Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the Permittee shall perform such testing in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.2 A.1.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

##### **Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. The Permittee shall keep monthly records in a logbook (written or electronic format) of the total volume of solids applied in these sources (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the amount of coating applied in these sources is not monitored.
- d. To ensure compliance with the limits given in Section 2.2 A.1.a above, the total weight of solids applied in these sources (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**) shall not exceed 5,764,957 pounds per consecutive 12-month period combined. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the above records are not kept or the particulate emissions exceed the limit above.

##### **Reporting** [15A NCAC 02Q .0508(f)]

- e. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.2 A.1.c and d above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June.

The report shall contain the following:

- i. the monthly particulate matter and PM<sub>10</sub> emissions for the previous 17 months. The emissions must be calculated for each of the 12-month periods over the previous 17 months;
- ii. the monthly amount of solids applied for these source (**ID Nos. SBA1 through SBA16, SBA25, and SBB1 through SBB20**) for the previous 17 months; and
- iii. all instances of deviations from the requirements of this permit must be clearly identified.

## 2. 15A NCAC 02D .0530: PREVENTION OF SIGNIFICANT DETERIORATION

- a. Volatile organic compound (VOC) emissions from the sources (**ID Nos. SBB1 through SBB20**) shall be less than 620 tons per consecutive 12-month period. The following BACT limits apply:

Affected Sources	BACT Limit
Toner spray booths	7.17 pounds of VOC per gallon applied coating
Stain spray booths	6.39 pounds of VOC per gallon applied coating
Pre-seal spray booths	5.73 pounds of VOC per gallon applied coating
Sealer spray booths	5.73 pounds of VOC per gallon applied coating
Topcoat spray booths	5.73 pounds of VOC per gallon applied coating

### **Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.2 A.2.a above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530.

### **Monitoring/Recordkeeping** [15A NCAC 02Q .0508(f)]

- c. At the request of the Permittee, the Permittee shall comply with the following for all the sources listed in Table 2.2.A.
  - i. At no time shall any coating exceed the values given above.
  - ii. Calculations of VOC emissions per month shall be made at the end of each month. VOC emissions shall be determined by multiplying the total amount of each type of VOC-containing material consumed during the month by the VOC content of the material. The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the amounts of VOC-containing materials or the VOC emissions are not monitored and recorded.
  - iii. Calculations and the total amount of VOC emissions shall be recorded monthly in a logbook (written or electronic format). The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0530 if the VOC emissions exceed this limit.

### **Reporting** [15A NCAC 02Q .0508(f)]

- d. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Section 2.2 A.2.c above postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. The report shall contain the following:
  - i. the monthly VOC emissions from the sources listed in Table 2.2.A for the previous 17 months. The emissions must be calculated for each of the consecutive 12-month periods over the previous 17 months.
  - ii. the highest VOC content of coating per gallon applied over the calendar year for each of the spray booths.

### **State-Enforceable Only**

## 3. 15A NCAC 02D .1806: CONTROL OF ODOROUS EMISSIONS

The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

**B. Cabinet finishing operations (ID Nos. CF1 and CF2)****Drying ovens (ID Nos. OVGA1 through OVGA4 and OVGB1 and OVGB2)**

The following table provides a summary of limits and standards for the emission source(s) describe above:

<b>Regulated Pollutant</b>	<b>Limits/Standards</b>	<b>Applicable Regulation</b>
Hazardous air pollutants	National Emission Standards for Wood Furniture Manufacturing Operations	15A NCAC 02D .1111 (40 CFR 63, Subpart JJ)

**Applicability** [40 CFR 63.800]

1. The wood furniture manufacturing operations (**ID Nos. CF1 and CF2**) shall comply with all requirements of 15A NCAC 02D .1111 “Maximum Achievable Control Technology” and 40 CFR Part 63 Subpart JJ “National Emission Standards for Wood Furniture Manufacturing Operations.”

**Definitions and Nomenclature**

2. For the purpose of this permit condition, the definitions and nomenclature contained in 40 CFR 63.801 shall apply.

**Regulated Pollutants**

3. Volatile hazardous air pollutants (VHAPs), volatile organic compounds (VOCs), and organic HAP solvent as defined in 40 CFR 63.801.

**General Provisions**

4. The Permittee shall comply with the requirements of 40 CFR Part 63, Subpart A “General Provisions,” according to the applicability of Subpart A to such sources, as identified in Table 1 of 40 CFR Part 63, Subpart JJ.

**Work Practice Standards**

5. The Permittee shall adhere to the work practice standards as specified by 40 CFR 63.803.
  - a. **Recordkeeping Requirements** – The Permittee shall prepare, maintain, and follow a written work practice implementation plan in accordance with 40 CFR 63.806(e) that defines environmentally desirable work practices for each wood furniture manufacturing operation and addresses each of the work practice standards specified in items i. through xi. below:
    - i. **Operator training** – in accordance with 40 CFR 63.803(b);
    - ii. **Inspection and maintenance plan** – in accordance with 40 CFR 63.803(c);
    - iii. **Cleaning and wash-off solvent accounting system** – in accordance with 40 CFR 63.803(d);
    - iv. **Chemical composition of cleaning and wash-off solvents** – in accordance with 40 CFR 63.803(e);
    - v. **Spray booth cleaning** – in accordance with 40 CFR 63.803(f);
    - vi. **Storage requirements** – in accordance with 40 CFR 63.803(g);
    - vii. **Application equipment requirements** – in accordance with 40 CFR 63.803(h) (Effective **November 21, 2014** conventional air spray guns are allowed only when emissions are vented to a control device);
    - viii. **Line cleaning** – in accordance with 40 CFR 63.803(i);
    - ix. **Gun cleaning** – in accordance with 40 CFR 63.803(j);
    - x. **Wash-off operation** – in accordance with 40 CFR 63.803(k); and
    - xi. **Formulation assessment plan** – in accordance with 40 CFR 63.803(l).
  - b. **Reporting Requirements** – The Permittee shall submit the compliance status report to the Regional Office in accordance with 40 CFR 63.804(f)(8) and 63.807(b). The Permittee shall submit semiannual reports to the Regional Office in accordance with 40 CFR 63.804(g)(8) and 63.807(c). The Permittee shall follow the requirements in 40 CFR 63.807(e) as required and 40 CFR 807(a) following the applicability criteria in 40 CFR 63.800(d).

**Averaging Compliance Option**

6. Finishing operations (**ID Nos. CF1 and CF2**) are utilizing the averaging compliance option.
  - a. **Emission limits** – The Permittee shall comply with all provisions per 40 CFR 63.802 as applicable to the finishing operations (**ID Nos. CF1 and CF2**). The weighted average VHAP content across all coatings, as applied, shall not exceed 0.8 kg VHAP per kg solids (0.8 lb VHAP per lb solids).
  - b. **Work practice standards** – Refer to Section 2.2 A.5 above.



- c. **Compliance procedures and monitoring requirements** – The Permittee shall demonstrate that the monthly average VHAP content for all finishing materials used at the facility is no greater than 0.8 kg VHAP per kg solids (0.8 lb VHAP per lb solids), as applied. The average VHAP content (E) shall be calculated by the following equation:

$$E = \frac{(\sum M_{cn} C_{cn} + \sum S_n W_n)}{(\sum M_{cn})}$$

Where:

$M_c$  = the mass of solids in a finishing material (c), in kilograms;

$C_c$  = the VHAP content of a finishing material (c), in kilograms of volatile hazardous air pollutants per kilogram of coating solids (kg VHAP/kg solids (lb VHAP/lb solids)), as supplied;

$S$  = the VHAP content of a solvent, expressed as a weight fraction, added to finishing materials; and

$W$  = the amount of solvent, in kilograms, added to finishing materials during the monthly averaging period.

- d. **Performance Test Method** – EPA Method 311 (40 CFR Part 63, Appendix A) shall be used in conjunction with formulation data to determine the VHAP content of liquid coatings. Formulation data shall be used to identify the VHAP present in the coating. EPA Method 311 shall then be used to quantify those VHAP. If the coating does not release the VOC or VHAP byproducts during the cure, for example, all the VOC and VHAP present in the coating is solvent, then batch formulation information shall be accepted.
- e. **Recordkeeping Requirements** – The Permittee shall fulfill all recordkeeping requirements of 40 CFR 63.10, according to the applicability criteria in 40 CR 63.800(d). In accordance with 40 CFR 63.10(b)(10), all records shall be maintained for a period of five years and, at a minimum, the most recent two years of data shall be retained on-site. The Permittee shall maintain files of all required information (including all reports and notifications) in a form suitable and readily available for expeditious inspection and review. Required recordkeeping includes, but is not limited to, the following:
- i. per 40 CFR 63.10(b)(xiv), the owner or operator shall maintain records of all documentation supporting initial notifications and notifications of compliance status;
  - ii. per 40 CFR 63.806(b), the owner or operator shall maintain:
    - A. a certified product data sheet for each thinner and each finishing material; and
    - B. records of the VHAP content, in kg VHAP/kg solids (lb VHAP/lb solids), as applied, of each finishing material; and
  - iii. the owner or operator shall maintain records of all compliance certifications submittal and all other information submitted with compliance certifications and/or compliance status reports.
- f. **Notification Requirements** – In addition to any other notification requirements to the EPA, the Permittee is required to notify the Regional Office DAQ in writing of the following:
- i. **Notification of Compliance Status** – Per 40 CFR 63.807(b), a notification of compliance status shall be submitted no later than 60 days after the compliance date. The report shall include the results of the averaging calculation (Equation 1) for the entire first month (the calendar month which includes the initial compliance date); and
  - ii. **Continuous Compliance Demonstration** – The owner or operator shall submit semiannual reports covering the previous six-months of wood furniture manufacturing operations. The first report shall be submitted within 30 calendar days after the end of the first six-month period. The first six-month period shall include the six full calendar months following the initial compliance date's calendar month. Subsequent reports shall be submitted within 30 calendar days after the end of each six-month period following the first six-month period. The reports shall include:
    - A. the results of the averaging calculation (Equation 1) for each month in the six-month period; and
    - B. a compliance certification signed by the responsible official of the company that owns or operates the affected source which states:
      - (1) whether the affected source was in compliance; or, if the affected source was not in compliance, the measures taken to bring the affected source into compliance; and
      - (2) that the value of E, as calculated using Equation 1, was less than 0.8 for each month during the period, or should otherwise identify those months during which the value of E exceeded 0.8.

**Cleaning Operations**

7. a. **Emission Limits** – The Permittee shall comply with the limits of 40 CFR 63.802(a)(3) applicable to the strippable spray booth operations (**ID Nos. CF1 and CF2**) as detailed in the following table:

<b>Emission Source(s)</b>	<b>Regulated Material</b>	<b>Emission Limitation</b>
<b>(ID Nos. CF1 and CF2)</b>	Strippable spray booth coatings	0.8 lb VOC per lb (or kg VOC/kg) solids, as applied

- b. **Compliance Procedures and Monitoring Requirements** – The Permittee shall demonstrate that only compliant strippable spray booth coatings are used in accordance with 40 CFR 63.804(g)(7).
- c. **Performance Test Method** – EPA Method 311 [40 CFR Part 63, Appendix A] shall be used to determine the VHAP content of liquid coatings in accordance with 40 CFR 63.805(a).
- d. **Recordkeeping Requirements** – The Permittee shall keep records in accordance with 40 CFR 63.806(a) following the applicability criteria in 40 CFR 63.800(d), 63.806(b)(1) and (b)(3), 63.806(h), 63.806(i), and 63.806(j).
- e. **Reporting Requirements** – The Permittee shall submit the compliance status report to the Regional Office in accordance with 40 CFR 63.804(f)(7) and 63.807(b). The Permittee shall submit semiannual reports to the Regional Office in accordance with 40 CFR 63.804(g)(7) and 63.807(c). The Permittee shall follow the requirements in 40 CFR 63.807(a) following the applicability criteria in 40 CFR 63.800(d).

**Formaldehyde Requirements**

8. The Permittee shall comply with one of the following two options by **November 21, 2014** and thereafter.
- a. **Option #1 (400 lb formaldehyde limit per rolling 12 month period)** –
- Emissions Limits** – In accordance with 40 CFR 63.802(a) and (b), limit total formaldehyde ( $F_{total}$ ) use in coatings and contact adhesives to no more than 400 pounds per rolling 12 month period.
  - Compliance Procedures and Monitoring Requirements** – In accordance with 40 CFR 63.804(h), calculate total formaldehyde emissions from all finishing materials and contact adhesives used at the facility using Equation 5 and maintain a value of  $F_{total}$  no more than 400 pounds per rolling 12 month period.
  - Recordkeeping Requirements** – In accordance with 40 CFR 63.806(b), the Permittee shall keep records of the formaldehyde content, in lb/gal, as applied, of each finishing material and contact adhesive subject to the emission limits of 40 CFR 63.802(a) and (b).
  - Reporting Requirements** – The Permittee shall submit semi-annual reports to the Regional Office in accordance with 40 CFR 63.807(c).
- b. **Option#2 (CPDS < 1.0% by weight formaldehyde)** –
- Emissions Limits** – In accordance with 40 CFR 63.802(a) and (b), use coatings and contact adhesives only if they are low-formaldehyde coatings and adhesives, in any wood furniture manufacturing operations. *Low-formaldehyde* means, in the context of a coating or contact adhesive, a product concentration of less than or equal to 1.0 percent formaldehyde by weight, as described in a certified product data sheet for the material.
  - Compliance Procedures and Monitoring Requirements** – In accordance with 40 CFR 63.804(h), demonstrate compliance by use of coatings and contact adhesives only if they are *low-formaldehyde* coatings and contact adhesives maintaining a certified product data sheet for each coating and contact adhesive used and submitting a compliance certification with the semi-annual report.
  - Recordkeeping Requirements** – In accordance with 40 CFR 63.806(b), the Permittee shall keep a certified product data sheet for each coating and contact adhesive used.
  - Reporting Requirements** – The Permittee shall submit semi-annual reports to the Regional Office in accordance with 40 CFR 40 CFR 63.807(c) and 40 CFR 63.804(h). The compliance certification shall state that low-formaldehyde coatings and contact adhesives, as applicable, have been used each day in the semiannual reporting period or should otherwise identify the periods of noncompliance and the reasons for noncompliance. An affected source is in violation of the standard whenever a coating or contact adhesive that is not low-formaldehyde, as demonstrated by records or by a sample of the coating or contact adhesive, is used. Use of a noncompliant coating or contact adhesive is a separate violation for each day the noncompliant coating or contact adhesive is used. The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.

## SECTION 3 - GENERAL CONDITIONS (version 5.3, 08/21/2018)

This section describes terms and conditions applicable to this Title V facility.

A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

B. **Permit Availability** [15A NCAC 02Q .0507(k) and .0508(i)(9)(B)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environmental Quality upon request.

C. **Severability Clause** [15A NCAC 02Q .0508(i)(2)]

In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

D. **Submissions** [15A NCAC 02Q .0507(e) and 02Q .0508(i)(16)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance  
North Carolina Division of Air Quality  
1641 Mail Service Center  
Raleigh, NC 27699-1641

All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).

E. **Duty to Comply** [15A NCAC 02Q .0508(i)(3)]

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 02Q .0514]  
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.
2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]  
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.
3. Minor Permit Modifications [15A NCAC 02Q .0515]  
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.
4. Significant Permit Modifications [15A NCAC 02Q .0516]  
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.
5. Reopening for Cause [15A NCAC 02Q .0517]  
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements  
Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:
  - a. changes in the information submitted in the application;
  - b. changes that modify equipment or processes; or
  - c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 02Q .0523(a)]
  - a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
  - b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
    - i. the changes are not a modification under Title I of the Federal Clean Air Act;
    - ii. the changes do not cause the allowable emissions under the permit to be exceeded;
    - iii. the Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and
    - iv. the Permittee shall attach the notice to the relevant permit.
  - c. The written notification shall include:
    - i. a description of the change;
    - ii. the date on which the change will occur;
    - iii. any change in emissions; and
    - iv. any permit term or condition that is no longer applicable as a result of the change.
  - d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
3. Off Permit Changes [15A NCAC 02Q .0523(b)]  
The Permittee may make changes in the operation or emissions without revising the permit if:
  - a. the change affects only insignificant activities and the activities remain insignificant after the change; or
  - b. the change is not covered under any applicable requirement.
4. Emissions Trading [15A NCAC 02Q .0523(c)]  
To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

**I.A Reporting Requirements for Excess Emissions and Permit Deviations** [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

**"Excess Emissions"** - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. *(Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.)*

**"Deviations"** - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
  - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
    - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
      - name and location of the facility;
      - nature and cause of the malfunction or breakdown;
      - time when the malfunction or breakdown is first observed;
      - expected duration; and
      - estimated rate of emissions;
    - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
    - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
  - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

**I.B Other Requirements under 15A NCAC 02D .0535**

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

**J. Emergency Provisions** [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
  - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
  - b. the permitted facility was at the time being properly operated;
  - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
  - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. **Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .0508(i)(4)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

M. **Duty to Provide Information (submittal of information)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .0508 (l)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the

entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

Q. **Certification by Responsible Official** [15A NCAC 02Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

R. **Permit Shield for Applicable Requirements** [15A NCAC 02Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:
  - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
  - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
  - c. the applicable requirements under Title IV; or
  - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 02Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;
3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

T. **Insignificant Activities** [15A NCAC 02Q .0503]

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. **Property Rights** [15A NCAC 02Q .0508(i)(8)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. **Inspection and Entry** [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
  - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
  - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
  - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
  - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

W. **Annual Fee Payment** [15A NCAC 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(3)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(d)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. **Prevention of Accidental Releases General Duty Clause - Section 112(r)(1)** – FEDERALLY-ENFORCEABLE ONLY

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.



FF. **Title IV Allowances** [15A NCAC 02Q .0508(i)(1)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

GG. **Air Pollution Emergency Episode** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .0501(c)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. **General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow the procedures outlined below:

1. The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.
2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
  - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
    - i. Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.
    - ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
    - iii. Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
  - b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 02D .2600 has precedence over all other tests.

**KK. Reopening for Cause** [15A NCAC 02Q .0517]

1. A permit shall be reopened and revised under the following circumstances:
  - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
  - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
  - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

**LL. Reporting Requirements for Non-Operating Equipment** [15A NCAC 02Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

**MM. Fugitive Dust Control Requirement** [15A NCAC 02D .0540]

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas, stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

**NN. Specific Permit Modifications** [15A NCAC 02Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(b)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 02Q .0501(c)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
  - a. a description of the change at the facility;
  - b. the date on which the change will occur;
  - c. any change in emissions; and
  - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. **Third Party Participation and EPA Review** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 02Q .0518 begins at the end of the 45-day EPA review period.

## ATTACHMENT

### List of Acronyms

<b>AOS</b>	Alternative Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>Btu</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CAIR</b>	Clean Air Interstate Rule
<b>CEM</b>	Continuous Emission Monitor
<b>CFR</b>	Code of Federal Regulations
<b>DAQ</b>	Division of Air Quality
<b>DEQ</b>	Department of Environmental Quality
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>HAP</b>	Hazardous Air Pollutant
<b>MACT</b>	Maximum Achievable Control Technology
<b>NAA</b>	Non-Attainment Area
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>OAH</b>	Office of Administrative Hearings
<b>PM</b>	Particulate Matter
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>RACT</b>	Reasonably Available Control Technology
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound